

## INTERNATIONAL SEARCH REPORT

Internat # Application No  
PCT/GB 03/00843

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> IPC 7 A61K31/085 A61K31/122 A61K31/115 A61P15/00		
According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61K A61P		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the International search (name of data base and, where practical, search terms used) PAJ, EPO-Internal, WPI Data, MEDLINE, EMBASE, BIOSIS, SCISEARCH, CHEM ABS Data		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99 66909 A (HEATON JEREMY P W ;UNIV KINGSTON (CA); ADAMS MICHAEL A (CA)) 29 December 1999 (1999-12-29) page 8, line 8 -page 9, line 9 page 14, line 6-8 page 18, line 13-16; claims 1-3	1,3-5, 11-16
X	GB 2 354 771 A (MCBRIDE ROBERT LTD) 4 April 2001 (2001-04-04) table 1	1-8,10, 11
P,X	EP 1 228 769 A (SCHUER JOERG-PETER PROF) 7 August 2002 (2002-08-07) page 7, line 15,31 page 10, line 44	1-6, 11-13
-/-		
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
<b>* Special categories of cited documents:</b> *A* document defining the general state of the art which is not considered to be of particular relevance *E* earlier document but published on or after the international filing date *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) *O* document referring to an oral disclosure, use, exhibition or other means *P* document published prior to the international filing date but later than the priority date claimed *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. *&* document member of the same patent family		
Date of the actual completion of the international search  18 June 2003		Date of mailing of the international search report  30/06/2003
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer  Friederich, M

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X	WO 02 098966 A (DROM FRAGRANCES INTERNAT KG ;MAIER HANS (DE); MELLER GERHARD (DE)) 12 December 2002 (2002-12-12) tables 1,3 -----	1-8,10, 11

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## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☒ Claims Nos.: —  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.: —  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application; as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

## Continuation of Box I.1

Although claims 14-19 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

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## Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

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## Continuation of Box I.2

Present claims 1, 2, 10-19 relate to an extremely large number of possible compounds ("dopamine mimetic odorants", "compound in the woody musk category"). In fact, the claims contain so many options that a lack of clarity (and/or conciseness) within the meaning of Article 6 PCT arises to such an extent as to render a meaningful search of the claims impossible.

Present claims 3-5, 13, 15 relate to a product/compound defined by reference to a desirable characteristic or property, namely "appropriate molecular size and electrical charge to interact with a neuroreceptor in the human brain", "causes an agonistic effect with neuroreceptors in the human brain to effect the emission of neurotransmitters", "in avoidance of the human blood brain barrier".

The claims cover all products/compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such products/compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product/compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the products/compounds specifically claimed in the appropriate claims 6-9 and used in the appropriate examples.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9966909	A	29-12-1999	AU 4254799 A	10-01-2000
			CA 2334550 A1	29-12-1999
			WO 9966909 A2	29-12-1999
			EP 1089736 A2	11-04-2001
			JP 2002518435 T	25-06-2002
			US 2002193442 A1	19-12-2002
			US 2002165122 A1	07-11-2002
			US 6395744 B1	28-05-2002
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GB 2354771	A	04-04-2001	NONE	
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EP 1228769	A	07-08-2002	EP 1228769 A1	07-08-2002
			WO 02067986 A2	06-09-2002
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WO 02098966	A	12-12-2002	WO 02098966 A2	12-12-2002
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